

REMARKS

Claims 1-15 were pending in the present application. Species I, claims 1-10, were elected for examination without traverse in the Response to the Election of Species Requirement filed April 21, 2005. New claim 16 has been added herein. Thus claims 1-16 are now pending. The applicants respectfully request reconsideration and allowance of the present application in view of the above amendments and the following remarks.

Applicants note that the claims are amended herein to correct grammatical usage involving the phrase "is comprised of" and "comprised of" for example in claims 1, 4, 6, 9, 11, and 14, and to remove the word "or" in claims 4, 9, and 14. Claim 1 is also amend to recite that the second resistor group adjusts. Such amendments are made for clarity only to correct informalities and not for reasons related to patentability.

The applicants note with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all certified copies of the priority documents have been received.

The applicants acknowledge and appreciate receiving a copy of the form PTO-1449 submitted with the Information Disclosure Statement filed on October 6, 2003 on which the Examiner has initialed all listed items.

Applicants further note that in the Supplemental response submitted on April 28, 2005, applicants noted that claim 1 is generic. In addition, while the Examiner has indicated that claims 6-10 do not read on the elected species, e.g. as shown in Figure 1, applicants respectfully disagree and submit that claims 6-10 clearly read on the species shown in Figure 1. While the election of April 21, 2005 was made without traverse, the election was made to claims 1-10 and thus claims 1-10 appropriate action should be given on the elected claims.

Claims 1-5 stand rejected under 35 USC §102(b) as being allegedly anticipated by Kim, U.S. Patent Application Publication 2002/0000889 A1. The rejection is respectfully traversed.

Applicants first note that claim 1 is amended herein to correct some minor grammatical errors and not for reasons related to patentability. Claim 1 recites the novel embodiment disclosed, for example, on page 12 of applicants' specification in which an oscillator circuit comprises a CR circuit for providing a feedback circuit to an active device. The CR circuit comprises a first resistor group (5) and a capacitor (4). The oscillator group also comprises a second resistor group (6) comprising one or more resistors. The second resistor group (6) is for adjusting a charge/discharge trigger voltage and a charge/discharge time associated with the capacitor (4) of the CR circuit. The second resistor group (6) has a temperature coefficient larger than a temperature coefficient associated with the first resistor group (5). More particularly, as discussed on page 12 of applicants' specification, the gradient or temperature coefficient θ_2 of the temperature characteristics $R_2(T)$ of the resistor 6 is larger than the gradient or temperature coefficient θ_1 of the temperature characteristics $R_1(T)$ of the resistor 5 such that $\theta_2 > \theta_1$. According to the claimed construction, the charge/discharge trigger voltage can be variably set by a simple construction such as by merely adding one resistor.

Kim, at best, describes an oscillation circuit that includes a CR circuit (200) including a variable resistor R_v composed of four unit resistors connected in series and a capacitor. In the circuit of Kim, in contrast with the present invention, the charge/discharge trigger voltage of the oscillation circuit is fixed.

More particularly, in accordance with the present invention, the compound resistance value, which is one of the factors used to determine the oscillation frequency, has a positive temperature characteristic. In order to provide compensation for the positive temperature characteristic, the voltage value supplied for the operation point is provided with a temperature

characteristic so as to cancel the temperature characteristic associated with the oscillation frequency, e.g. the positive temperature characteristic of the compound resistance.

Again in stark contrast, Kim describes varying the voltage value ($V_{dda}+V_{sp}$ or $-V_{sp}$) as shown in Fig. 5 of Kim in order to maintain the frequency at a certain value. That is, the connection and the resistance value are set so that the compound resistor for determining the oscillation is flattened, thereby canceling the temperature characteristic of the oscillation. However, the charge/discharge trigger voltage ($V_{dda}+V_{sp}$ or $-V_{sp}$) is fixed.

Accordingly, for at least the reasons set forth hereinabove, a *prima facie* case of anticipation has not properly been established in that Kim fails to disclose all the claimed features as required. Kim fails to disclose, for example, a second resistor group that adjusts a charge/discharge trigger voltage and a charge/discharge time associated with the capacitor of the CR circuit. It is respectfully requested therefore that the rejection of independent claim 1 be reconsidered and withdrawn.

Claims 2-5, by virtue of depending from independent claim 1, are allowable for at least the reasons set forth hereinabove. It is respectfully requested therefore that the rejection of claims 2-5 be reconsidered and withdrawn.

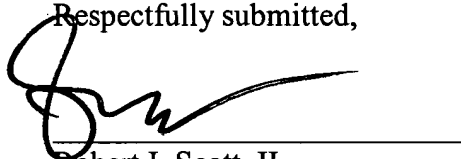
New claim 16 is presented for examination. Claim 16 more fully recites the novel embodiment shown, for example, in Fig. 1, and specifies that the first resistor group (5) is disposed in series with the capacitor (4) and that the second resistor group (6) is disposed between the output of the n-th inverter and the input of the first inverter, wherein n is an odd integer value. The cited art fails to disclose this arrangement. Favorable consideration is respectfully requested.

Serial No. 10/678,132

In view of the foregoing, the applicants respectfully submit that the present application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



Robert L Scott, II
Reg. No. 43,102

Posz Law Group, PLC
12040 South Lakes Drive, Suite 101
Reston, VA 20191
Phone 703-707-9110
Fax 703-707-9112
Customer No. 23400